

REMARKS

The declaration filed on March 24, 2003 under 37 CFR 1.131 was considered ineffective to overcome the Guan et al. reference because not all of the inventors had signed it. Applicants therefore submit herewith a new declaration under 37 CFR 1.131 which has been signed by all four inventors. It is believed that this document is now sufficient to ante-date the priority date of Guan et al. thus eliminating this patent as a valid reference against the subject matter of the present application. Accordingly, Applicants believe that it is not necessary to provide comments at this time, on the rejections set forth in subsections 4 and 5 of the subject Office Action.

Claims 9-27 are rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al. in view of Kauffman et al. and Nuttens et al. Applicants respectfully traverse.

Kobayashi et al. pertains to DVD's and processes for their manufacture. While the patentees mention using hot melt adhesives for bonding the halves of the DVD together, they do not mention or suggest the desirability of a hot melt adhesive formulation such as that of Applicants, as already noted by the Examiner. However, Applicants take issue with the Examiner's assertion that the combination of Kobayashi et al. and Kauffman et al. suggest the use of a "recyclable adhesive layer" to form DVD's. Kobayashi et al. do not disclose or even suggest that a "recyclable adhesive", such as that disclosed by Kauffman et al., might be employed in DVD production. These patents clearly address different problems.

Kaufman et al. disclose a hot melt adhesive that will not "discolor or otherwise foul... reclaimed plastic..." (col. 1, lines 45-46). Nowhere do they mention or even suggest the desirability of using their hot melt adhesive formulation in processes for bonding DVD's.

The Examiner states in the last paragraph on page 5 of the Office Action that Nuttens et al. disclose the use of carbonyl containing polyethylene waxes in hot melt adhesive compositions. These waxes must have a "low" molecular weight which the patentees describe as being from 250 to 3000 (please refer to abstract). The objective of Nuttens et al. is to produce for use in various compositions, such as hot melt adhesives, a polyethylene wax having a low molecular weight. They suggest the *undesirability* of "higher molecular weight" polyethylene waxes for such applications (col. 1, lines 39-42). However, Applicants' wax component is in the


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range of 4,000 to 80,000, which is in the range that Nuttens et al. consider as being "high". This is clearly outside not only the stated acceptability range for the adhesives of Nuttens et al. but contrary to the teachings of the patentees, as well.

None of the three cited references addresses the critical requirements that an adhesive formulation must meet in order to be successfully employed to bond DVD's. Only the Applicants' specification emphasizes the specific and very stringent standards, such as "tilt" and "dishing" (p. 5, line 20 to p.6, line1) with which DVD adhesives ideally should comply. Kobayashi et al. do not address these issues. Kauffman et al. deal with making hot melt adhesives that will not "discolor" or "foul" when the substrates to which they are bonded are "recycled". Incidentally, none of these references mentions or even remotely suggests "recycling" DVD's. Further, as to the use of a polyethylene wax in a hot melt adhesive, Nuttens et al. teach away from using high molecular weight waxes, in contrast to Applicants' claimed adhesive formulation. It is respectfully submitted that the claims, as amended, present subject matter that cannot be deemed obvious when considered in view of the combination of these three references.

Applicants respectfully request the favorable reconsideration of the patentability of the claimed subject matter and solicit the prompt issuance of a notice of allowability. The Commissioner is authorized to charge any deficiency in the required fee or to credit any overpayment made in connection with this amendment to Deposit Account 01-1250.

Respectfully submitted,



Gregory M. Hill
(Reg. No. 31,369
Attorney for Applicant
(610) 278-4964

Henkel Corporation
Patent Law Department
2500 Renaissance Blvd., Suite 200
Gulph Mills, PA 19406

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